IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 12952 of 2005

Between:

B.Harish Kumar and another

..... PETITIONERS

AND

The Director General of Police,

State of Andhra Pradesh,

Lakdikapul, Hyderabad and 7 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents

3 and 4 in lifting the 1st petitioner from his place to the police station, treating him with cruelty, beating him all over his body, subjecting him to the highest degree of torture and threatening to implicate him and his family in false cases, taking signatures of the petitioners on blank papers, forcing the 2nd petitioner to issue a cheque etc., are illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioners and the learned Government Pleader for Home.

The petitioners are alleged to have been harassing by the respondents 3 and 4, and the respondents 3 and 4 are interfering with the life and liberty of the petitioners. Though several allegations are attributed against the respondents 3 and 4, the petitioners have not chosen to file any complaint before their superior authorities. It is further stated that even after filing of this writ petition, there was continuous harassment being made by the respondents 3 and 4, and to that effect, the 1st petitioner made a representation to the Director General of Police on 25.06.2005, marking copies to the Superintendent of Police, Medak District and the Home Minister of the Andhra Pradesh.

Having regard to the facts and circumstances of the case, in so far as prayer of the writ petition is concerned, I do not see any grounds to entertain this writ petition. However, without there being any report or complaint from any corner whatsoever, against the petitioners, the petitioners cannot be called to the police station and the respondents

3 and 4 cannot be interfered with their life and liberty. It is left open to the respondents 3 and 4 to register a case, if any report or complaint is filed against the petitioners, and investigate into the matter.

With the above observations, the Writ Petition is disposed of. No order as to costs.

V.ESWARAIAH,J

Dated: 28.10.2005

Dsr